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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-3758-2025
DECIDED ON: 23.01.2025**

**RAVINDER KUMAR ALIAS RAVINDER SINGH ALIAS ATTU ALIAS
MATTU**

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Ankit Kharbanda , Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 528 of BNSS Act, 2023 for setting aside the impugned order dated 26.10.2022 (Annexure P-6) passed by trial Court vide which the petitioner has been declared proclaimed offender in FIR No.235 dated 02.07.2014, registered under Sections 472 of IPC and Section 22 of NDPS Act, 1985 and Section 61 of Punjab Excise Act 1914, at Police Station Chheharta, District Amritsar (Annexure P-1).

2. Learned counsel for the petitioner contends that the petitioner could not appear before the trial Court due to outbreak of novel Corona Virus (Covid 19) across the country, as the petitioner was never served with any notices issued by the trial Court to secure his presence. In support of his argument, he has placed reliance upon the orders dated 23.03.2021, 29.04.2021, 05.07.2021, 27.08.2021, 13.10.2021, 18.11.2021, 21.03.2022 and 25.04.2022 (Annexure P-3 collectively) passed by the Court below.

3. He further contends that on 18.08.2022 due to non-appearance of the petitioner, his bail orders were cancelled and his bail bonds were forfeited to the State. Additionally, non-bailable warrants of arrest were issued against the

petitioner. On 03.09.2022, the petitioner again failed to appear, resulting in the non-

bailable warrants remaining unexecuted, and the petitioner has subsequently been declared a proclaimed offender. He undertakes before this Court that the petitioner will surrender before the trial Court and join the trial proceedings.

4. Be that as it may, without going further into the technicalities once the petitioner is ready and willing to join the trial proceedings, as has been undertaken before this Court, this Court deem it appropriate to dispose of the petition at this stage itself.

5. The petitioner shall surrender before the trial Court within a period of 10 days from today and in case, he moves an application for regular bail on that day or any other subsequent date, same may be considered and decided in accordance with law preferably on that very day itself.

6. However, this Court is also sanguine of the fact that due to absence may be on account of the reasons, as has been detailed in the petition and submitted before this Court during the course of hearing, the fact remains that trial has been delayed unnecessarily.

7. As a penalty for causing delay in the judicial process, the petitioner is penalized with a cost of Rs.10,000/-. The cost shall be deposited with the Punjab & Haryana High Court Employees' Association.

8. A copy of receipt qua the deposit of such cost shall be furnished before the trial Court at the time of surrender.

9. The petition stands disposed off, in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

23.01.2025

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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>